

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

| | | |
|-------------------|---|-------------------|
| IN RE: | § | |
| | § | Case No. 21-30071 |
| PDG PRESTIGE INC. | § | (Chapter 11) |
| | § | |
| Debtor. | § | |

BALLOT SUMMARY

TO THE HONORABLE H. CHRISTOPHER MOTT, U.S. BANKRUPTCY JUDGE:

PDG PRESTIGE, INC. debtor and debtor in possession provides the following ballots and/or ballot summary with respect to the confirmation hearing set for March 30, 2022 and the second amended plan of the Debtor. Copies of the ballots are attached.

| Class | Accept # | Accept \$ | Reject # | Reject \$ | RESULT |
|-------|----------|------------|----------|-----------|---------|
| 3 | 1 | 168,862.00 | 0 | 0 | ACCEPTS |
| 5 | 2 | 22,627.00 | 0 | 0 | ACCEPTS |

Dated: March 30, 2022

Respectfully submitted:

WEYCER, KAPLAN, PULASKI & ZUBER, P.C.

By: /s/ Jeff Carruth
JEFF CARRUTH (TX SBN.: 24001846)
3030 Matlock Rd., Suite 201
Arlington, Texas 76105
Telephone: (713) 341-1158
Fax: (866) 666-5322
E-mail: jcarruth@wkpz.com

ATTORNEYS FOR PDG PRESTIGE, INC.,
DEBTOR AND DEBTOR IN POSSESSION

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served on the date specified in the file stamp above by electronic notice to all ECF users who have appeared in this case to date.

21-30107-hcm Notice will be electronically mailed to:

Steven B. Bass on behalf of Creditor United States of America Internal Revenue Service
Steven.Bass@usdoj.gov, tina.travieso@usdoj.gov

James W. Brewer on behalf of Creditor New Mexico Real Estate Advisors, Inc. d/b/a Colliers International
jbrewer@kempsmith.com, tschoemer@kempsmith.com

Jeff Carruth on behalf of Debtor PDG Prestige, Inc.
jcarruth@wkpz.com,
jcarruth@aol.com:ATTY_CARRUTH@trustesolutions.com

Harrel L. Davis, III on behalf of Creditor Suresh Kumar
hdavis@eplawyers.com,
vrust@eplawyers.com;vpena@eplawyers.com

James Michael Feuille on behalf of Creditor Dennis Crimmins
jfeu@scotthulse.com, tmar@scotthulse.com

James Michael Feuille on behalf of Plaintiff Crimmins Family Limited Partnership
jfeu@scotthulse.com, tmar@scotthulse.com

James Michael Feuille on behalf of Plaintiff MDDC Investments, LLC
jfeu@scotthulse.com, tmar@scotthulse.com

James Michael Feuille on behalf of Plaintiff White Sands Construction, Inc.
jfeu@scotthulse.com, tmar@scotthulse.com

James Michael Feuille on behalf of Plaintiff Dennis Crimmins
jfeu@scotthulse.com, tmar@scotthulse.com

Fred Kennon on behalf of Creditor Dona Ana County Treasurer
fredk@donaanacounty.org

David P. Lutz on behalf of Defendant PDG Prestige, Inc.
dplutz@qwestoffice.net

David P. Lutz on behalf of Defendant PDG, Inc.
dplutz@qwestoffice.net

David P. Lutz on behalf of Defendant Michael J Dixon
dplutz@qwestoffice.net

/s/ Jeff Carruth

Jeff Carruth

Michael R. Nevarez on behalf of Interested Party Westar Investors Group, LLC
MNevarez@LawOfficesMRN.com,
MRN4Bankruptcy@gmail.com

Brad W. Odell on behalf of Creditor City bank
bodell@mhba.com,
memert@mhba.com;mreynolds@mhba.com;bwodellscvtxw@ecf.axosfs.com

David W. Parham on behalf of Creditor City Bay Capital LLC
david.parham@akerman.com,
esther.mckean@akerman.com;david.clark@akerman.com;kristen.mcdanald@akerman.com;rick.boepple@akerman.com;teresa.barrera@akerman.com

Clyde A. Pine, Jr. on behalf of Creditor HD Lending, LLC
pine@mgmsg.com, clyde.pine@gmail.com

James W Rose, Jr on behalf of U.S. Trustee United States Trustee - EP12
james.rose@usdoj.gov,
carey.a.tompkins@usdoj.gov;Roxana.peterson@usdoj.gov;aubrey.thomas@usdoj.gov;omar.e.jones@usdoj.gov

Don Stecker on behalf of Creditor City Of El Paso
don.stecker@lgsb.com

Casey Scott Stevenson on behalf of Creditor Dennis Crimmins
cste@scotthulse.com, cmac@scotthulse.com

Casey Scott Stevenson on behalf of Plaintiff Crimmins Family Limited Partnership
cste@scotthulse.com, cmac@scotthulse.com

Casey Scott Stevenson on behalf of Plaintiff MDDC Investments, LLC
cste@scotthulse.com, cmac@scotthulse.com

Casey Scott Stevenson on behalf of Plaintiff White Sands Construction, Inc.
cste@scotthulse.com, cmac@scotthulse.com

Casey Scott Stevenson on behalf of Plaintiff Dennis Crimmins
cste@scotthulse.com, cmac@scotthulse.com

United States Trustee - EP12
USTPRegion07.SN.ECF@usdoj.gov

UNITED STATES BANKRUPTCY COURT
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| IN RE: | § | |
| | § | Case No. 21-30071 |
| PDG PRESTIGE INC. | § | (Chapter 11) |
| | § | |
| Debtor. | § | |

**BALLOT REGARDING FIRST AMENDED PLAN OF REORGANIZATION
OF PDG PRESTIGE INC. DATED JANUARY 17, 2022**

TO ALL CREDITORS:

You may vote on the *First Amended Plan of Reorganization of PDG Prestige Inc. Dated January 17, 2022* (Docket No. 110) (the "**Plan**") by completing and returning this Ballot as set forth below. This Ballot accompanies the (i) Plan, (iii) the *First Amended Disclosure Statement in Support of the First Amended Plan of Reorganization of PDG Prestige Inc. Dated January 17, 2022* (Docket No. 111) (the "**Disclosure Statement**"), (iv) *Order to (I) Approve First Amended Disclosure Statement In Support of First Amended Plan of Reorganization of PDG Prestige, Inc. Dated January 17, 2022 (II) Establish Plan Related Deadlines, and (III) Set Confirmation Hearing, and Notice of Deadlines and Hearing to Consider Chapter 11 Plan, and Addressing Related Dates and Deadlines (Re: Docket Nos. 110, 111)* (Docket No. 116) (the "**Disclosure Statement Order**"), enclosed with this Ballot. In order to have your vote count you must return this Ballot. This Ballot should be returned to:

Jeff Carruth
WEYCER, KAPLAN, PULASKI & ZUBER, P.C.
3030 Matlock Rd., Suite 201
Arlington, TX 76015
713-341-1158, fax (866) 666-5322
jcarruth@wkpz.com

on or before **February 18, 2022** (the "**Ballot Deadline**"), the date and time set forth in the Disclosure Statement Order.

Ballots must be received by the Voting Deadline in order to be counted. You should review the Disclosure Statement and the Plan before you vote.

Your ballot must be signed in order to be counted.

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| | |
|---|---|
| <u>CLASS 1 — City of Dona Ana County</u> UNIMPAIRED – NOT ENTITLED TO VOTE | |
| <u>CLASS 2 — Legalist</u> UNIMPAIRED – NOT ENTITLED TO VOTE | <u>CLASS 3 — New Mexico Real Estate Advisors, Inc. d/b/a Collier’s International (NMREA)</u> For: <u>XX</u> Against: _____ Amount of Claim: <u>\$168,862.68</u> |
| <u>CLASS 4 — Crimmins</u> NOT APPLICABLE – NO CLAIM | <u>CLASS 5 — General Unsecured</u> For: _____ Against: _____ Amount of Claim: \$ _____ |
| <u>CLASS 6 — Equity Interest</u> For: _____ Against: _____ Amount of Claim: \$ _____ | |

SIGNATURE FOR BALLOT:

Your ballot must be signed in order to be counted.

NAME OF CREDITOR: **New Mexico Real Estate Advisors, Inc. d/b/a Collier’s International (NMREA)**

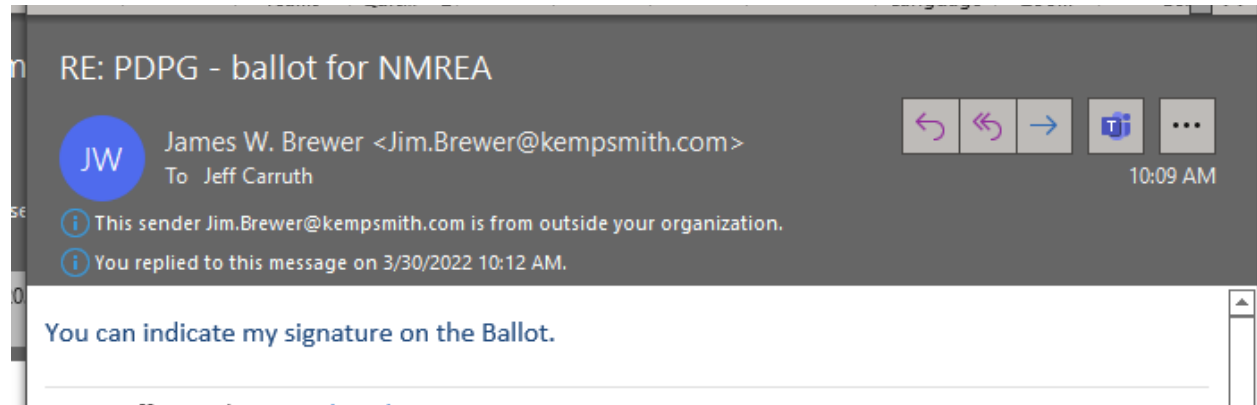
Signature: /s/ James W. Brewer *

By [Print Name]: James W. Brewer

Title: Attorneys for Creditor

Date: Feb. 18, 2022 / March 29, 2022

**** Signature by permission by /s/ Jeff Carruth***



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|--|--|
| <p><u>CLASS 1 — City of Dona Ana County</u></p> <p>UNIMPAIRED – NOT ENTITLED TO VOTE</p> | |
| <p><u>CLASS 2 — Legalist</u></p> <p>UNIMPAIRED – NOT ENTITLED TO VOTE</p> | <p><u>CLASS 3 — New Mexico Real Estate Advisors, Inc. d/b/a Collier's International (NMREA)</u></p> <p>For: _____ Against: _____</p> <p>Amount of Claim: \$ _____</p> |
| <p><u>CLASS 4 — Crimmins</u></p> <p>NOT APPLICABLE – NO CLAIM</p> | <p><u>CLASS 5 — General Unsecured</u></p> <p>For: <u>XX</u> _____ Against: _____</p> <p>Amount of Claim: <u>\$20,000</u></p> |
| <p><u>CLASS 6 — Equity Interest</u></p> <p>For: _____ Against: _____</p> <p>Amount of Claim: \$ _____</p> | |

SIGNATURE FOR BALLOT:

Your ballot must be signed in order to be counted.

NAME OF CREDITOR: City Bay Capital LLC

Signature: /s/ Benjamin R. Joelson / Mark Lichtenstein *

By [Print Name]: Benjamin R. Joelson / Mark Lichtenstein

Title: Attorneys for Creditor

Date: Feb. 18, 2022 / March 29, 2022

**** Signature by permission by /s/ Jeff Carruth***

File

Message

Developer

Help

Acrobat

Tell me what you want to do

Delete

Respond

Share to Teams

Teams

Quick Steps

Quic...

Move

Tags

Editing

Immersive

Translate

Language

Zoom

Zoom

Send to OneNote

OneNote

Re: txwb2130107 PDG Prestige - amended plan, all fixes March 24 10:00 a.m.

mark.lichtenstein@akerman.com

Tue 6:36 PM

To Jeff Carruth

Cc benjamin.joelson@akerman.com; reyko.delpino@akerman.com

This sender mark.lichtenstein@akerman.com is from outside your organization.

Yes

Sent from my iPhone

On Mar 29, 2022, at 7:33 PM, Jeff Carruth <jcarruth@wkpz.com> wrote:

[External to Akerman]

Plan is up and filed. Copy attached.
Ok for me to /s/ your ballot now?
Thank you. – J.C.

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| <p><u>CLASS 4 — Crimmins</u></p> <p>NOT APPLICABLE – NO CLAIM</p> | <p><u>CLASS 5 — General Unsecured</u></p> <p>For: <u>XX</u> _____ Against: _____</p> <p>Amount of Claim: <u>\$2,627.64</u></p> |
| <p><u>CLASS 6 — Equity Interest</u></p> <p>For: _____ Against: _____</p> <p>Amount of Claim: \$ _____</p> | |

SIGNATURE FOR BALLOT:

Your ballot must be signed in order to be counted.

NAME OF CREDITOR: **INTERNAL REVENUE SERVICE**

Signature: /s/ Steven Bass *

By [Print Name]: Steven Bass

Title: Attorney for Creditor

Date: March 29, 2022

**** Signature by permission by /s/ Jeff Carruth***

File

Message

Developer

Help

Acrobat

Tell me what you want to do

Delete

Respond

Share to Teams

Quick Steps

Move

Tags

Editing

Immersive

Translate

Zoom

Send to OneNote

Viva Insights

Catch Phish

Teams

Quick St...

Language

Zoom

OneNote

Add-in

RE: [EXTERNAL] PDGP - IRS 2k unsecured

BS

Bass, Steven (USATXW) <Steven.Bass@usdoj.gov>
To: Jeff Carruth

← Reply

↶ Reply All

→ Forward

...

This sender Steven.Bass@usdoj.gov is from outside your organization.

You replied to this message on 3/29/2022 12:17 PM.

Tue 3/29/2022 12:13 PM

Jeff, ballot ok to submit. Thanks. steven

From: Jeff Carruth <jcarruth@wkpz.com>
Sent: Tuesday, March 29, 2022 11:51 AM
To: Bass, Steven (USATXW) <SBass1@usa.doj.gov>
Subject: RE: [EXTERNAL] PDGP - IRS 2k unsecured

Thank you – here is ballot in wdx and pdf
I have set it up for me to /s/ for you in the event that you approve